IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7952 OF 2003

Smt. Basantabhai Mishrilal
Achaliya & Ors. .. Petitioners.

vs.

Smt. Jijabai Bhikchand Lalwani
W/o. Bhikchand Lalwani
(since deceased through heirs
& legal representatives. .. Respondents.

Mr. Anilkumar K. Patil for petitioners.
Mr. P.S. Dani for Respondent No. 1a to 1c.

CORAM : A.P. DESHPANDE, J.

DATE : 6th November, 2006.

P.C.

. Perused the order dated 19.11.2003 passed by this Court. A perusal of the said order clearly reveals that the learned Judge was not inclined to admit the petition and the learned counsel for the petitioner prayed for six months time to vacate the premises. This Court in view of the prayer made by the learned counsel for the petitioners to grant six months time to vacate, issued notice before admission and granted ad-interim relief in terms of

prayer clause (c). Prayer clause (c) is for stay of the proceedings in R.D. No. 10 of 1989 pending before the Civil Judge, Junior Division, Manmad. It is thus clear that notice was issued only with a view to grant six months time to the petitioner to vacate the premises. As of today more than three years time has elapsed. The ad-interim order has served its purpose. For the reasons recorded in the order dated 19.11.2003, the writ petition is summarily dismissed. Needless to mention, the ad-interim orders stand vacated.

(A.P. Deshpande, J.)